

Message Text

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FM AMCONSUL STUTTGART
TO SECSTATE WASHDC 4369
AMEMBASSY BONN
INFO USMISSION USBERLIN
AMCONSUL BREMEN
AMCONSUL DUSSELDORF
AMCONSUL FRANKFURT
AMCONSUL HAMBURG
AMCONSUL MUNICH
AMEMBASSY PARIS
USCINCEUR VAIHINGEN GE
CINCUSAREUR HEIDELBERG GE

LIMITED OFFICIAL USE SECTION 1 OF 2 STUTTGART 1070

USCINCEUR AND CINCUSAREUR FOR POLADS

E.O. 11652: N/A
TAGS: PINT GW
SUBJECT: THE FILBINGER AFFAIR

REF: A) STUTTGART 1007 B) STUTTGART 0997 C) STUTTGART 0917
D) STUTTGART 0905

1. SUMMARY. FURTHER ALLEGATIONS ABOUT FILBINGER'S PAST REPORTED
IN DER STERN, REFUTED BY FILBINGER'S OFFICE, CONTINUE TO FAN
CONTROVERSY AFTER THE RECENT COURT DECISION REALLY SETTLED
LITTLE IN THE "FILBINGER AFFAIR."THE SPD HAS CALLED ON FILBINGER
TO RESIGN AND A SMALL DEMONSTRATION AGAINST FILBINGER WAS
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ORGANIZED IN STUTTGART MAY 30. PROMINENT LEADER OF JEWISH
COMMUNITY HAS COME OUT IN SUPPORT OF FILBINGER. PRESS REPORTS
SLIGHTLY MORE CRITICAL AND QUESTIONING ATTITUDE BY STUTTGART'S
LORD MAYOR ROMMEL VIS-A-VIA FILBINGER, BUT ROMMEL TELLS US
PRESS DISTORTED HIS VIEWS. END SUMMARY.

2. THE RECENT HANDING DOWN OF THE COURT DECISION IN THE FILBINGER

LAWSUIT (REF A) SEEMS TO HAVE RESOLVED FEW IF ANY OF THE PROBLEMS OF BADEN-WUERTTEMBERG'S MINISTER-PRESIDENT, FOR THE CONTROVERSY GENERATED BY THE "FILBINGER AFFAIR" CONTINUES UNABATED IN BADEN-WUERTTEMBERG AS WELL AS IN THE NATIONAL PRESS. IT HAS TAKEN AN UGLIER TURN, WITH THE PRESS NOW BEING OBVIOUSLY HUNGRIER THAN EVER TO DIG UP NEW "REVELATIONS" ABOUT FILBINGER'S PAST AND THE QUESTION OF WHETHER FILBINGER SHOULD RESIGN NOW INCREASINGLY BECOMING THE SUBJECT OF OPEN DEBATE.

3. FILBINGER'S REACTION TO THE COURT DECISION APPEARS NOT TO HAVE HELPED HIS CAUSE MUCH. HE CONSIDERED THE DECISION A VICTORY INASMUCH AS THE COURT SEEMED TO CONFIRM THE LEGALITY OF HIS EARLIER ACTIONS DURING HIS NAVY DAYS, BUT HE EXPRESSED REGRET THAT THE COURT HAD NOT RECOGNIZED THAT WHILE HE HAD BEEN ABLE TO HELP OTHERS IN THE SAME PERIOD HE HAD NOT BEEN IN A POSITION TO HELP GROEGER (THE SAILOR EXECUTED IN 1945 FOR DESERTION). IN AN EDITORIAL ON MAY 31 SUPPORTING THE SPD DEMAND FOR FILBINGER'S RESIGNATION (SEE BELOW), THE STUTTGARTER ZEITUNG, NOTING THAT FILBINGER HAD CLAIMED TO HAVE HELPED A CHAPLAIN AND ANOTHER OFFICER AMONG OTHERS, WONDERED IF IN NOT HELPING AN ORDINARY SEAMAN (GROEGER) FILBINGER WAS HEWING TO NOTIONS OF "CLASS JUSTICE" FOR WEEDING OUT ENEMIES OF THE PEOPLE ALONG THE LINES OF HIS 1935 ARTICLE (REF B) ON NAZI RACIAL THEORIES.

4. THE CONTROVERSY HAS NOW GONE WELL BEYOND THE FACTS AT ISSUE IN THE LAWSUIT, AS EVIDENCED BY THE LATEST ISSUE OF THE WEEKLY LIMITED OFFICIAL USE

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MAGAZINE DER STERN. IN AN OPEN LETTER TO DER STERN, A HISTORY PROFESSOR FROM CALW IN BADEN-WUERTTEMBERG, WHO CLAIMS TO BE A CDU MEMBER, EXPRESSES ASTONISHMENT OVER FILBINGER'S PROFESSED ANTI-NAZISM. ON THE CONTRARY, ALLEGES THE PROFESSOR, FILBINGER HAD BEEN A MEMBER OF THE NAZI STUDENT ORGANIZATION AT FREIBURG AND HAD WORN ITS UNIFORM AND HE (THE PROFESSOR) HAD HIMSELF JOINED THE NAZI STUDENT ORGANIZATION AT FILBINGER'S URGING THAT HE DO SO TO PROVE HIS POLITICAL RELIABILITY.

5. THE PRESS REPORTS THAT FILBINGER'S OFFICE HAS COUNTERED THE ABOVE ASSERTION BY PRESENTING AN AFFIDAVIT FROM A PROFESSOR AT AINZ WHO CLAIMS THAT FILBINGER HAD INSTEAD BEEN A MEMBER OF THE CATHOLIC STUDENT ORGANIZATION AT FREIBURG AND HAD BEEN UNCOMPROMISINGLY OPPOSED TO THE NAZI REGIME. THIS PROFESSOR SAID THAT HE HAD ALREADY KNOWN FILBINGER FOR MANY YEARS AND IN FACT WAS AWARE THAT FILBINGER HAD BEEN TURNED DOWN FOR A POST AT THE GERMAN CHAMBER OF COMMERCE IN PARIS BECAUSE THE NAZI REGIME CONSIDERED HIM TO BE POLITICALLY UNRELIABLE.

6. THE EXECUTIVE COMMITTEE OF THE SPD FRAKTION IN THE LANDTAG ISSUED A STATEMENT ON MAY 29 CALLING ON FILBINGER TO RESIGN. THE EXECUTIVE COMMITTEE OF THE CDU FRAKTION AND THE CHAIRMEN OF

COUNTY CHAPTERS OF THE CDU IN BADEN-WUERTTEMBERG COUNTERED WITH UNANIMOUS ADOPTION OF A RESOLUTION REJECTING ATTACKS ON FILBINGER'S INTEGRITY AND EFFORTS TO WEAKEN THE CDU. THE FDP ATTITUDE HAS BEEN SOMEWHAT AMBIVALENT. JUERGEN MORLOK, FDP LAND CHAIRMAN AND HEAD OF THE LANDTAG FRAKTION, CRITICIZED THE SPD FOR ALLEGEDLY PLAYING POLITICS IN DEMANDING FILBINGER'S RESIGNATION. BUT MORLOK THEN SEEMS TO HAVE BEEN NOT ABOVE PLAYING POLITICS HIMSELF BY ADDRESSING A FEW LOADED QUESTIONS AT FILBINGER, E.G., WHY FILBINGER PERSISTED IN TRYING TO JUSTIFY HIS EARLIER ACTIONS RATHER THAN WEIGHING THEM TODAY ON MORAL GROUNDS, AND WHY A JUSTICE MINISTER IN LOWER SAXONY HAD TO RESIGN BECAUSE OF STUDENT WRITINGS NOT MUCH DIFFERENT FROM FILBINGER'S IN THE

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R 011410Z JUN 78
FM AMCONSUL STUTTGART
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AMEMBASSY BONN
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NAZI PERIOD. SUBSEQUENTLY THE FDP HAS CALLED ON FILBINGER TO GO BEFORE THE LANDTAG TO GIVE A FULL FACTUAL ACCOUNT OF HIS POLITICAL PAST. (COMMENT: SOME POLITICAL OBSERVERS TELLS US THAT IT WOULD FIT IN WELL WITH MORLOK'S POLITICAL STRATEGY FOR A TAINTED FILBINGER TO STAY ON IN OFFICE, SINCE THIS MIGHT WEAKEN THE

CDU'S CHANCES IN THE 1980 LANDTAG ELECTIONS AND IMPROVE THE FDP'S PERFORMANCE AT THE POLLS AND ITS CHANCES OF THEN REENTERING THE LAND GOVERNMENT IN A COALITION WITH THE CDU.)

7. CRUDE HANDBILLS WERE POSTED IN STUTTGART CALLING ON THE POPULATION TO ATTEND A DEMONSTRATION AT THE MARKPLATZ MAY 30 TO SUPPORT DEMANDS FOR FILBINGER'S RESIGNATION. WORKS COUNCIL LIMITED OFFICIAL USE

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REPRESENTATIVES (BETRIEBSRAETE) CLAIMED TO HAVE TAKEN THE INITIATIVE FOR ORGANIZING THE DEMONSTRATION. THOUGH THE PRESS REPORTED 250 PEOPLE ATTENDED, ONLY ABOUT 50 -- YOUNG PEOPLE FOR THE MOST PART -- WERE PRESENT BY OUR COUNT. SPEAKERS SAID THAT IT WAS ONLY THE BEGINNING OF A CAMPAIGN TO FORCE FILBINGER TO RESIGN.

8. ONE SIGNIFICANT SHOW OF SUPPORT FILBINGER HAS RECEIVED CAME FROM WENER NACHMANN, PRESIDENT OF THE COUNCIL OF JEWS IN BADEN AND ALSO PRESIDENT OF THE NATIONWIDE COUNCIL. ACCORDING TO THE PRESS, HE HAS WRITTEN TO FILBINGER PRAISING THE LATTER'S ROLE IN THE REBUILDING OF GERMANY AND IN DEFENSE OF DEMOCRATIC INSTITUTIONS. NACHMANN WARNED AGAINST A RECURRENCE OF THE KIND OF UNDIGNIFIED ATTACKS AGAINST PUBLIC FIGURES WHICH HELPED UNDERMINE THE WEIMER REPUBLIC AND PAVE THE WAY FOR NAZIISM. (COMMENT: WE HAVE BEEN TOLD THAT FILBINGER'S OFFICE HAS WRITTEN TO INFLUENTIAL FIGURES THROUGHOUT BADEN-WUERTTEMBERG ASKING THEM TO EXPRESS PUBLIC SUPPORT FOR FILBINGER. IT MAY BE THAT NACHMANN'S ENDORSEMENT COULD BE IN ANSWER TO SUCH AN APPEAL.)

9. THE PRESS REPORTS THAT ON MAY 30 STUTTGART'S CDU LORD MAYOR, MANFRED ROMMEL, WAS MORE CRITICAL OF FILBINGER IN REMARKS TO JOURNALISTS THAN HE HAD BEEN IN FIRST DEFENDING FILBINGER A FEW WEEKS AGO (REF C). ROMMEL IS REPORTED AS HAVING SAID THAT FILBINGER'S REACTION TO THE COURT DECISION "HAD NOT BEEN VERY CLEVER" AND AS HAVING REVEALED THAT THE CDU ORGANIZATION IN BADEN-WUERTTEMBERG WAS NOT SO FIRMLY UNITED BEHIND FILBINGER AS PARTY STATEMENTS WOULD SUGGEST. AT THE SAME TIME, ROMMEL IS REPORTED AS BEING CONVINCED THAT FILBINGER SHOULD NOT AND WOULD NOT RESIGN AND ROMMEL ALSO EXPRESSED DISTASTE FOR ALL THIS "SNIFFING ABOUT" IN THE PAST. ROMMEL'S ATTITUDE BEFORE THE PRESS PROMPTED THE STUTTGARTER ZEITUNG TO WONDER ON JUNE 1 WHETHER ROMMEL MIGHT BE LAYING THE GROUNDWORK TO DISSOCIATE HIMSELF FROM LIMITED OFFICIAL USE

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FILBINGER IF SUBSEQUENT DEVELOPMENTS WERE TO MAKE THIS COURSE ADVISABLE. (COMMENT: ROMMEL HAS TOLD US THAT HIS REMARKS TO THE

JOURNALISTS, AS REPORTED IN THE PRESS AND LATER IN THE DAY ON
MEWSCASTS, HAD MADE HIM SOUND MORE CRITICAL OF FILBINGER THAN IN
FACT HE HAD BEEN. OTHER REMARKS TO US THIS SUBJECT BY ROMMEL
ARE BEING REPORTED SEPTTEL.)
MILLER

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